381

BILL NO. Z-89-01-23

ZONING MAP ORDINANCE NO. Z-04-89

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. R-15.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R-1 (Single Family Residential) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Village Woods Place Addition - Lots #1 through #101

Mesa Meadows Addition - Lots #4 through #14

and the symbols of the City of Fort Wayne Zoning Map No. R-15, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Janet G. Bradbury
Councilmember

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay
J. TIMOTHY MCCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Bradbury, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19__, at _____ o'clock _____ .M.,E.S.T.

DATED: 1-24-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Stier, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	9			
BRADBURY	✓			
BURNS	✓			
GiaQUINTA	✓			
HENRY	✓			
LONG	✓			
REDD	✓			
SCHMIDT	✓			
STIER	✓			
TALARICO	✓			

DATED: 2-28-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ (SPECIAL) (ZONING MAP) ORDINANCE ~~RESOLUTION~~ NO. 2-04-89 on the 28th day of February, 19 89,

ATTEST

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL

Charles B. Redd
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1989, at the hour of 1:30 o'clock P. .M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 7th day of March, 19 89, at the hour of 9:30 o'clock P .M.,E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Village Green Neighborhood Association
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an RA/RB District to a/an R1 District the property described as follows:

Village Woods Place Addition -- Lots #1 through #101

Mesa Meadows Addition -- Lots #4 through #14

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Alfred Dean Glick	3330 Lorna Dr.	Alfred Dean Glick
Anna M. Glick	" " "	Anna M Glick
Vic Clayton Jr	3320 Lorna DR.	Vic Clayton Jr.
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinar being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whic it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matt for hearing before the City Plan Commission. (FILING FEE $100.00)

Name and address of the preparer, attorney or agent.

Jean Lahrman, V.G.N.A. Assn. Pres.	3311 Argyle Drive 46806	447-4963
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/ 427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearin approximately ten (10) days prior to the meeting.

PROPERTY OWNERS NAME	ADDRESS	SIGNATURE
STEVEN C. HARSCH	3310 LONA DR.	Steven C. Harsch
NANCY L. HARSCH	3310 LONA DR.	Nancy L. Harsch
James T. White	3220 Norma Court	James T. White
Agatha Englehing	3220 Norma Court	Agatha Englehing
Marcia Wagner	3214 Norma Ct.	Marcia E. Wagner
RANDY CALVERT	3215 NORMA CT	Randy Calvert
PAT CHANDLER	4724 WELLINGTON DR.	Pat Chandler
Gloria Chandley	4724 Wellington Dr.	Gloria M. Chandler
Chun Hi Kim	3402 Lona Dr.	Chun Hi Kim
ROBERT W. TRICKEY	3410 LONA DR	Robert W. Trickey
MARGARET M TRICKEY	3410 LONA DR	Margaret M. Trickey
Chester A Brooks	3420 LONA DR	Chester A Brooks
Dorothy m Brooks	3420 Lona DR.	Chester A Brooks
Patti Breidenstein	3428 Lona Dr.	Patti Breidenstein
HENRY FRANKLIN JR.	3524 CHARLTON CT.	Henry Franklin Jr
ROBERT. A. LEININGER	3521 CHARLTON CT.	R. Robert A. Leininger
KATHERINE J. LEININGER	3521 CHARLTON CT.	Katherine J. Leininger

PROPERTY OWNERS NAME	ADDRESS	SIGNATURE
DONALD E. SIMMONS	4711 BARRINGTON DRIVE	Donald E. Simmons
Roseann Simmons	4711 Barrington Dr	Roseann Simmons
Hilda Waltz	4633 Barrington Dr.	Hilda Waltz
Lee Waltz	4633 Barrington Dr.	Lee Waltz
BARBARA GORNEY	4723 BARRINGTON DR.	Barbara Gorney
CAROL HENNEY	4627 BARRINGTON DR	Carol Henney
JUANITA BRAMLETTE	4603 BARRINGTON St.	Juanita Bramlette
Rosalind Ridley	4603 Barrington	Rosalind Ridley
Pauline McMillan	3418 Argyle Drive	Pauline McMillan
Ronald Hughes	4618 Glenmary Dr.	Ronald Hughes
PATRICIA McGARY	4630 GLENMARY DR.	Patricia McGary
William C Bender	4702 GLENMARY DR	William C Bender
Delta E Bender	4702 Glenmary	Delta E Bender
J E Richardson	4712 GLENMARY	J E Richardson
ARC/Allen County	4724 GlenMary	T. Huddleston
Julia Griffin	4732 Glenmary	Julia Griffin
Rev. D. R. Bishoboogh	3427 Lona Dr.	D. R. Bishoboogh
LOUIES A MENCER	4705 BARRINGTON DR	Louie a Mencer
MARY E MENCER	4705 BARRINGTON DR.	Mary E Mencer
Nancy Ferguson	4617 Barrington	Nancy Ferguson
GENE TWITCHELL	4737 BARRINGTON DR	Gene Twitchell
VIVIAN J. TWITCHELL	4737 BARRINGTON DR.	Vivian J. Twitchell

PROPERTY OWNERS NAME	ADDRESS	SIGNATURE
CLARENCE F. LAHRMAN JR	3311 ARGYLE DR	Clarence Lahrman Jr
WANDA JEAN LAHRMAN	3311 ARGYLE DR	Wanda Jean Lahrman
Patricia L. Ebetino	4602 Wellington Dr	Patricia L Ebetino
BERNARD V. EBETINO	4602 WELLINGTON DR	Bernard V. Ebetino
Oma J. Nunn	3321 Argyle Dr.	Oma J. Nunn Brown
Jeannie Hardy	3405 Argyle Dr	Barbara Hardy
Barbara Hardy	3405 Argyle Dr	B Hardy
David A Jones	4614 Wellington Dr.	David A Jones
Rebecca A. Jones	4614 Wellington Dr.	Rebecca A. Jones
Enoch Perry Jr.	3227 Village Ct. Dr.	Enoch Perry Jr
Nedalyn Blauvelt	4716 Wellington Dr	Nedalyn Blauvelt
Ronald Blauvelt	4716 Wellington Dr.	Ronald Blauvelt
Patricia J. MAURER	3415 Argyle DR.	Patricia J Maurer
Daniel E. MAURER	3415 Argyle Drive	Daniel E. Maurer
Viola a. Bracking	3419 argyle	Viola a. Bracking
Richard A. Bracking	3419 Argyle Dr.	Richard A. Bracking
Osie L. Johnson	3427 Argyle dr.	Osie L. Johnson
Floyd F Johnson	3427 Argyle Dr.	Floyd F Johnson
JAMES B. OSSELAER	3218 DANIA CT.	JAMES B OSSELAER
PAUL E. BOOMERSHINE	3228 VILLAGE CT. DR.	Paul E Boomershine
DELORIS BOOMERSHINE	3228 VILLAGE CT DR	Deloris J. Boomershine

PRINT PROPERTY OWNERS NAME	ADDRESS	written SIGNATURE
Darlene Garey	3310 E. Congress Ave.	Darlene Garey
MARK GAREY	3310 E. CONGRESS AV	Mark Garey
Donald D Kissling	3516 Congress Ave	Donald D Kissling
Orville L. Smith	3316 Congress Ave	Orville L Smith
Barbara J. Smith	3316 Congress Ave.	Barbara J Smith
Beth A. Moore	3304 Congress	Beth A. Moore
David Hamrick	3208 CONGRESS	David Hamrick
Brenda Hamrick	3208 Congress Av.	Brenda Hamrick
~~Dean~~ Lean Dunbar	3328 Congress Ave.	Dean Dunbar
Audrey Stein	3404 Congress	Audrey Stein
Jimmy Stein	3404 Congress	
Gregory A Emrick	3418 Congress	Gregory A Emrick
Laura Emrick	3418 Congress	Laura Emrick
Mary Millen Waters	3420 Congress	Mary Millen Waters
Nancy Burman	3428 Congress Ave	Nancy Burman
Ruth J. Perry	3508 Congress Ave.	Ruth J. Perry
Ronda L. Kissling	3516 Congress	Ronda Kissling
Mary Rosemond	3232 Congress	Mary Rosemond
~~Mary~~ Mae Pettie	3226 Congress	Mae Pettie
David Perrie Jr.	3226 Congress	David Perrie

PROPERTY OWNERS NAME	ADDRESS	SIGNATURE
Eugene E. Dettmer	4601 Hessen Cassel	Gene Dettmer
Jacqueline Dettmer	4601 Hessen Cassel	Jackie Dettmer
William R. McComb	4519 Hessen Cassel	William R McComb
Barbara McComb	4519 Hessen Cassel	Barbara McComb
William T. Burns	4527 Hessen Cassel	William T. Burns
Ruth M. Burns	4527 Hessen Cassel	Ruth M. Burns
Faye A. Betley	4535 Hessen Cassel	Faye A. Betley
Cathy Carpenter	4605 Hessen Cassel	Cathy Carpenter
Steve Boehm	4605 Hessen Cassel	Steve Boehm
Randy Martin	4615 Hessen Cassel	Randy Martin
Margaret Martin	4615 Hessen Cassel	Margaret Martin
Louise Johnston	3209 Village Ct. Dr.	Louise Johnston
Ernest R. Johnston	3209 Village Ct Dr	Ernest R. Johnston
Jerry Bill Betley	4535 Hessen Cassel Rd.	
Kenneth Judge	4719 Hessen Cassel	
RANDALL B. BECHT	4727 HESSEN CASSEL	Randall B. Becht
Jo Ann Nygaard	4735 Hessen Cassel	Jo Ann Nygaard

PROPERTY OWNERS NAME	ADDRESS	SIGNATURE
Adolph F. BaBAY	4633 GLENMARY DR.	Adolph F Babay
Julia BRaBSoN	4625 GLENMARY DR.	Julia Brabson
Vicki WILLIAMS	4617 GLENMARY DR.	Vicki L Williams
ELMER GEORGE	4607 GLENMARY DR.	Elmer George
ROBERT NATHAN	3526 E. SHERWOOD TR.	
Floyd BERRYHILL	3525 E. SHERWOOD TR.	Floyd Berryhill
Adolphus GANT	3515 E. SHERWOOD TR.	Adolphus Gant
ALFRED DIEHL	4705 GLENMARY DR.	Alfred Diehl
VASILIOS TOUNTZIOS	4711 GLENMARY DR.	Vasilios Tountzios
[redacted]	[redacted] DR.	
ROBERT KANCOR	4723 GLENMARY DR.	
A. BROOKS	4731 GLENMARY DR.	Germania Brooks

PROPERTY OWNERS NAME	ADDRESS	SIGNATURE
James G Leary	3411 Congress Ave	James G Leary
Wilma S. Whittaker	3421 Congress Ave	Wilma S. Whittaker
Otha Aden	3511 Congress Ave	Otha Aden
Gary Nevius	3329 Congress Ave	Gary Nevius
Margaret Artoux	3315 Congress Ave	Margaret Artoux
Peggy Kuiper	3305 Congress Ave.	Peggy Kuiper
Aljean Tubbs	3505 Congress Ave.	Aljean Tubbs
Linda Stanley	3403 Congress Ave.	Linda Stanley
Betty Collins	3223 Congress Ave.	Betty Collins
Lula Mae Mosley	3231 Congress Ave.	Lula Mae Mosley

PROPERTY OWNERS NAME	ADDRESS	SIGNATURE
Karen & Ronald Knox	4736 Barrington Dr.	Karen B. Knox
Mike & Denise Rose	4712 Barrington Dr	Denise Rose
Clyde & Cordia Adams	4634 Barrington Dr	Cordia M. Adams
Keith & Maria Peterson	4628 BARRINGTON DR	Keith L. Peterson
Vivian A. Conway	4618 Barrington	Betty Conway
PW Conway	Same	"
Billy E. Gray	4604 Barrington	Billy E. Gray
Joe & Amy K Eason	4601 Wellington	Amy K Eason
Mrs Nolan R. Welker	4615 Wellington	Mary C. Welker
Mr Robert A. Petty	4633 Wellington	Robert A. Petty
Forest & Connie Chandler	4715 Wellington Dr.	Mrs Forest Chandler
Pat & Johnny Brooks	4725 Wellington Dr.	Mrs Pat Brooks
Mark & Roberta Lamarre	3315 Lona Drive	Roberta A. Lamarre

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 24, 1989 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-89-01-23; and

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 23, 1989.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held January 30, 1989.

Certified and signed this
31st day of January 1989.

Robert Hutner
Secretary

ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CED

SYNOPSIS OF ORDINANCE Lots 1 through 101 in Village Woods Place Addition;
Lots 1 through 14 in Mesa Meadows Addition.

Z-89-01-23

EFFECT OF PASSAGE Property is present zoned RA & RB - Suburban Residential.
Property will become R-1 - Single Family Residential.

EFFECT OF NON-PASSAGE Property will remain RA & RB - Suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.)

FACT SHEET

Z-89-01-23
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE
Zoning Ordinance Amendment
From RA/RB to R-1

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address
Lots 1 - 101 Village Woods Place Add
Lots 4 - 14 Mesa Meadows Addition

Reason for Project
Downzoning

Discussion (Including relationship to other Council actions)

23 January 1989 - Public Hearing

Jean Lahrman, 3311 Argyle Drive, President of the Village Green Neighborhood Association stated that the petition to rezone was an official act that had been taken by the Association. This area which includes Lots 1 through 101 in Village Woods Place Addition and Lots 4 through 14 in Mesa Meadows Addition, a total land area of 23.4 acres is comprised of 112 residences, 99 of the homeowners signed the petition to rezone. She stated that the purpose of the petition is to allow for only single family use in the area. She stated that granting the rezoning of the area will also provide them protection against any misuse which could possibly undermine the integrity of the area.

Doug Wagner, 3214 Norma Court appeared before the Commission to support the petition.

There was no one else who wished to speak in favor of or in opposition to the proposed rezoning.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Village Green Neighborhood Association City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	[X] For [ ] Against Reason Against
Board or Commission Recommendation	By [X] For [ ] Against [ ] No Action Taken [ ] For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pass

DETAILS

30 January 1989 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the nine (9) members present eight (8) voted in favor of the motion, one (1) did not vote.

Motion carried.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** 30 November 1988

Projected Completion or Occupancy **Date** 31 January 1989

Fact Sheet Prepared by **Date** 31 January 1989

Patricia Biancaniello

Reviewed by **Date** Feb. 2, 1989

Reference or Case Number

BILL NO. Z-89-01-23

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of Fort Wayne Zoning Map No. R-15

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (~~RESOLUTION~~) Do Pass

YES		NO
Janet G. Bradbury	JANET G. BRADBURY CHAIRPERSON	
David C. Long	DAVID C. LONG VICE CHAIRMAN	
	JAMES S. STIER	
	DONALD J. SCHMIDT	
Samuel J. Talarico	SAMUEL J. TALARICO	

CONCURRED IN 2-28-89.

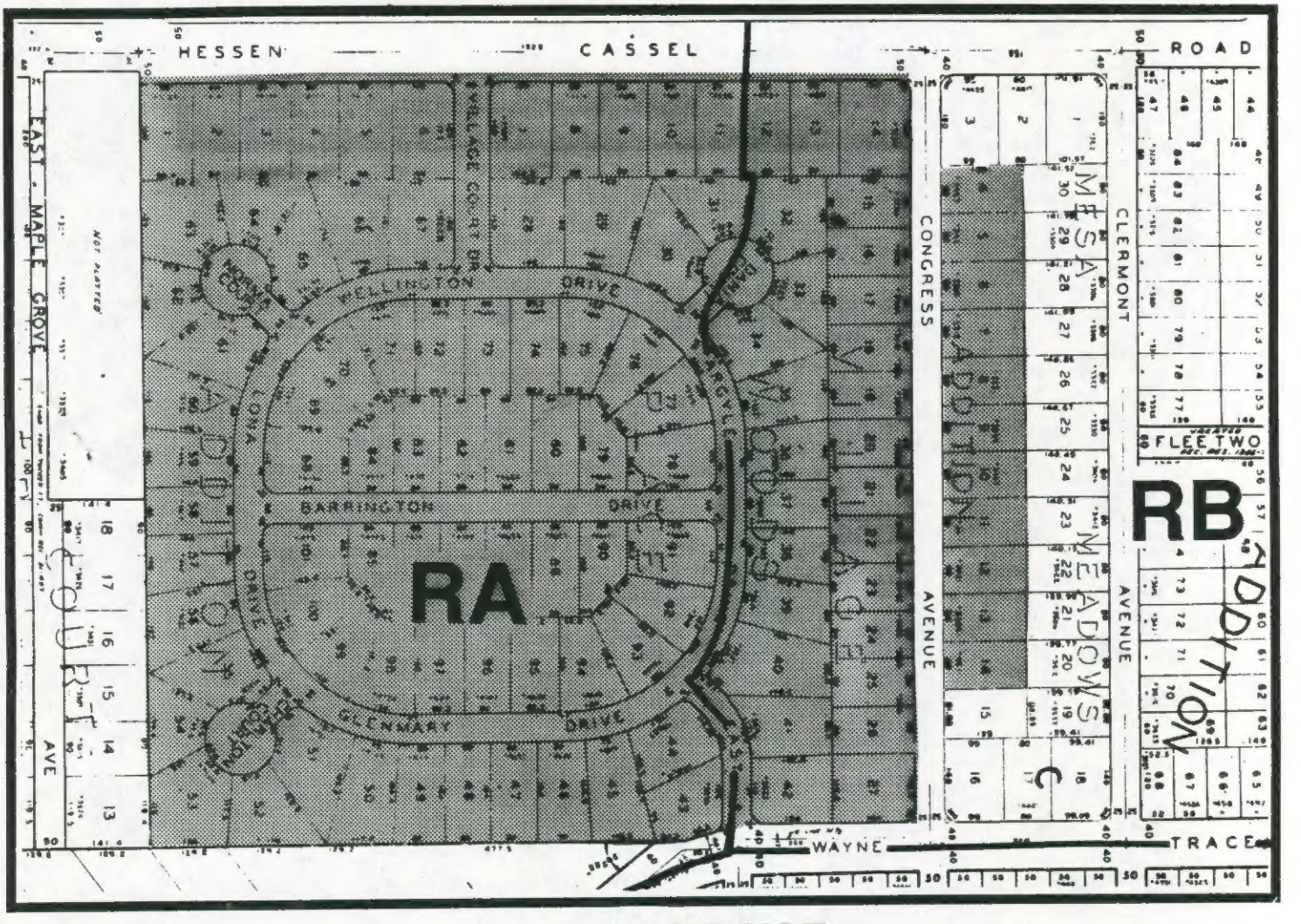
Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

REZONING PETITION #381

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A **RA/RB** DISTRICT TO A **R1** DISTRICT.

MAP NO. **R-15**

COUNCILMANIC DISTRICT NO. **6**



ZONING:

RA RESIDENCE "A"

RB RESIDENCE "B"

LAND USE:

☐ *SINGLE FAMILY*

☐ *PUBLIC-CHURCH*

SCALE: 1"=200'

DATE: 12-22-88